

REMARKS

Claims 1-12 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Preliminary Matters

The Examiner has objected to claim 10 due to the term “comprising.” Although Applicant disagrees with the Examiner’s suggestion, Applicant has amended claim 10 in order to expedite prosecution. Such amendment is not made in view of the prior art and is deemed to not narrow the scope of the claim.

**II. Rejections under 35 U.S.C. § 103(a) in view of EP 1096421 to Nakajima et al.
 (“Nakajima”) in view of U.S. Publication No. 2003/0234847 to Takekoshi et al.
 (“Takekoshi”)**

The Examiner has rejected claims 1-3, 5, 6 and 10-12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakajima in view of Takekoshi.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites that, “every time the printing head ejects ink to each divided area, an amount of ink ejected to the divided area is calculated, and a new accumulated value is obtained by adding the calculated amount of ink to a value obtained by multiplying a predetermined coefficient to an accumulated value previously obtained, and the waiting time is set based on a final accumulated value that is obtained at an end of printing on the front side of said medium.”

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 10/825,609

The Examiner acknowledges that Nakajima fails to disclose a printing area divided into several areas, where an amount of ink and elapsed time are measured for each divided area, but contends that Taketoshi does. Applicant submits, however, that Taketoshi fails to teach or suggest the specific measurement and values for setting a waiting time, as set forth in claim 1. Accordingly, Applicant submits that Taketoshi fails to cure the deficient teachings of Nakajima.

In view of the above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1.

B. Claims 2, 3, 5 and 6

Since claims 2, 3, 5 and 6 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claims 10-12

Since claims 10-12 contain features that are analogous to the features set forth above for claim 1, Applicant submits that claims 10-12 are patentable for at least analogous reasons as claim 1.

III. Rejections under 35 U.S.C. § 103(a) in view of Nakajima, Takekoshi and U.S. Patent No. 6,270,199 to Kimura et al. ("Kimura")

The Examiner has rejected claims 4 and 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakajima, Takekoshi and Kimura.

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 10/825,609

A. Claim 4

Since claim 4 is dependent upon claim 1, and Kimura fails to cure the deficient teachings of Nakajima and Takekoshi, in regard to claim 1, Applicant submits that claim 4 is patentable at least by virtue of its dependency.

B. Claim 9

Since claim 9 contains features that are analogous to the features discussed above for claim 1, and Kimura fails to cure the deficient teachings of Nakajima and Takekoshi, in regard to claim 1, Applicant submits that claim 9 is patentable for at least analogous reasons as claim 1.

IV. Rejections under 35 U.S.C. § 103(a) in view of Nakajima, Takekoshi and U.S. Patent No. 6,416,151 to Otsuka et al. ("Otsuka")

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakajima, Takekoshi and Otsuka. However, since claims 7 and 8 are dependent upon claim 1, and Otsuka fails to cure the deficient teachings of Nakajima and Takekoshi, in regard to claim 1, Applicant submits that claims 7 and 8 are patentable at least by virtue of their dependency.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 10/825,609

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



Allison M. Tulino
Registration No. 48,294

Date: October 24, 2006